

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, July 28, 2003

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Kirk, Kreider, Raser, Senhauser, Spraul-Schmidt, Sullebarger, and Wallace present. Absent: Bloomfield and Clement

MINUTES

The minutes of the Monday, July 14, 2003 meeting were unanimously approved as amended (motion by Sullebarger, second by Spraul-Schmidt).

CERTIFICATE OF APPROPRIATENESS, 8-14 WEST MCMICKEN AVENUE, OVER-THE-RHINE HISTORIC DISTRICT

Urban Conservator William Forwood presented the staff report on this request for a Certificate of Appropriateness to construct a fence at the front of 8-14 West McMicken Avenue to match an existing fence in front of 16-36 West McMicken Avenue. This is a revision of an application tabled by the Board at its April 7, 2003 meeting pending clarification of the project scope and the resolution of the applicant's objection to items in the staff report. Mr. Forwood reminded the Board that it had reviewed and approved the entire project proposed for 8-36 West McMicken, which involved the rehabilitation of manufacturing buildings for loft apartments.

Mr. Forwood described changes with the current application. The plan for the fence has been modified to eliminate the chain-link gate. When it is economically feasible, Mr. Reinhaus anticipates replacing the entire fence - including the fence constructed in front of 16-36 West McMicken prior to the designation of the historic district. Mr. Reinhaus has for now abandoned his plan for the total \$1.2 million project originally approved, but will proceed on a piecemeal basis as funds are available. The estimated cost for these proposed phases ranges from \$1,000 to \$3,000. Considering the reduced scope, the difference of a wrought iron fence conforming to the guidelines and the cost of the proposed wood fence may constitute an economic hardship. Mr. Reinhaus has retracted his objection to the April 7, 2003 staff report.

Mr. Forwood stated that the applicant feels the fence is necessary to protect his property and materials stored on-site and to discourage loitering on the site. Since a timeframe cannot be put on when the fence will be replaced, staff suggests the Board approve a temporary fence for a period of 36 months from the date of Board approval. He also confirmed that the applicant (complying with an order from B & I) has taken down the building at 14 West McMicken.

Applicant Walter Reinhaus was present. He stated that he had no additional comments for the Board.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger, second by Raser) to take the following actions:

1. Find that given the present circumstances in the neighborhood, a fence is necessary and desirable to provide security for the open lot at 8-14 West McMicken Avenue and to limit access to the buildings at 16-36 West McMicken Avenue;
2. Find that the original proposal to rehabilitate the building complex has been reduced and will be undertaken in smaller phases executed over a prolonged period, possibly as long as ten years;
3. Find that the proposed fence does not meet the letter of the historic district guidelines, but that requiring installation of the more costly wrought iron fence would cause an economic hardship for the reduced project; and
4. Approve a Certificate of Appropriateness for a temporary wood fence at the front of 8-14 West McMicken Avenue for the reasons cited above, with the following conditions:
 - a. The new fence shall be gateless and match the height, spacing, appearance, materials and color of the adjoining existing fence in front of 16-36 West McMicken Avenue;
 - b. The approval shall be for a temporary fence for an initial period of 36 months commencing from the date of the Historic Conservation Board approval;
 - c. The new fence at 8-14 West McMicken Avenue and the existing one in front of 16-36 West McMicken Avenue shall be replaced with a uniform fence meeting historic district guidelines at the end of the initial term (plus any extensions); and
 - d. The applicant shall provide to the Historic Conservation Board a detailed account of tenancy, cash flow and financing for the project in order to justify any further extension.

CERTIFICATE OF APPROPRIATENESS, 1899 MADISON ROAD, EAST WALNUT HILLS HISTORIC DISTRICT

Staff member Adrienne Cowden presented the staff report on this request for a Certificate of Appropriateness for the construction of a single-family residence at 1899 Madison Road, within the East Walnut Hills Historic District. Construction of a single-family home on this site was originally reviewed by the Board in conjunction with a twin home at 1895 Madison Road. The Board tabled the application for the nearly identical residences on May 19, 2003 and again on June 9, 2003 in recognition of concerns raised by the Assembly, the Cincinnati Preservation Association (CPA) and residents of the Historic District.

Ms. Cowden stated that the applicant has addressed the concerns with the previous applications, most noticeably by proposing only one single-family home instead of the twin houses. The garage has been relocated to the rear of the house beneath a terrace with a single driveway leading to it from Baker Place. In addition, no zoning variances are required and only one mature tree will be removed.

Ms. Cowden stated that Mary Ann Lee, President of the East Walnut Hills Assembly, had been faxed a copy of the plans. Individuals who had expressed concerns or comments were emailed notification of the current proposal, which could be viewed in the Historic Conservation Office or the East Walnut Hills Assembly. Staff received

a written response from Chris Cain, Executive Director of the CPA, indicating that overall the new design appears to meet the guidelines for new construction. He suggested minor changes to the privacy wall and more appropriate landscaping. Ms. Janet Niehard expressed concern with the shallow front yard setback and the poor condition of the sidewalk.

Ms. Cowden explained that the proposed residence meets the district guidelines in terms of materials, scale and massing, height, and detailing. The siting may appear shallow; however, the property directly across the street has a similar setback of approximately 40'. Ms. Cowden acknowledged that staff could review an alternative to the chain-link fence or its removal as part of the landscaping plan review.

Applicant/architect Robert Sala and Owner Robert Chavez were present to respond to questions from the Board. Mr. Sala explained that the overall square footage of the house was increased by 400-500 square feet and the height was increased by 3'. Mr. Sala suggested that landscaping could be used to address the concern of the blank privacy wall along with the extension of the water table and patterned stucco. In reply to Mr. Raser, Mr. Sala stated that any additional changes would keep with the simple three-bay Palladian style and a simple tongue and groove soffit would suffice in lieu of a formal frieze.

Sally Wilson of 1901 Madison Road requested to see construction and landscape plans and to be notified when construction would commence. She also requested that Baker Place be kept free from the noise and mud of construction trucks by having them enter the site from Madison Road. Ms. Wilson stated that the design was a great improvement over the previous plan and commented that landscaping would play a great part. She added that unlike the fence embedded in the hedgerow along Madison Road, the fence across Baker Place is visible and in poor condition.

Mr. Senhauser explained that if construction drawings submitted for a building permit were significantly different from those approved by the Board, the applicant would have to reappear in front of the Board. The landscape plan would be reviewed at staff level, as is typical. He suggested that the owner might share with her the landscape plan and construction schedule.

Mr. Kreider suggested that the stone marker for Baker Place remain.

BOARD ACTION

The Board voted unanimously (motion by Kreider, second by Spraul-Schmidt) to take the following actions:

1. Find that the proposed new residence at 1899 Madison Road meets the East Walnut Hills Historic District guidelines; and
2. Approve a Certificate of Appropriateness with the following conditions:
 - a. The final construction drawings and any landscape plans shall be submitted to the Urban Conservator for approval prior to construction; and
 - b. The existing stone Baker Place marker at the southwest corner of Baker Place and Madison Road is to remain.

**CERTIFICATE OF APPROPRIATENESS AND ENVIRONMENTAL QUALITY
REVIEW, 100 WEST ELDER, FINDLAY MARKET ENVIRONMENTAL
QUALITY DISTRICT, OVER-THE-RHINE HISTORIC DISTRICT**

Staff member Adrienne Cowden presented the staff report on this request for a Certificate of Appropriateness and Environmental Quality approval to allow for the structural stabilization of the exterior walls and the enclosure of 100 West Elder Street, a contributing resource in the Over-the-Rhine Historic District. The building is one of the largest in the Findlay Market EQ District and is a strong visual anchor at the northeast corner of the Market Square.

Ms. Cowden stated that the Board granted a Certificate of Appropriateness on November 25, 2002 for the rehabilitation of the building into residential units with first floor commercial space. During renovation the entire north wall and a substantial portion of the east wall collapsed. Currently the entire back of the building is open and it is missing portions of the roof. Although the Director of Buildings and Inspections declared it to be in eminent danger of collapse and ordered an emergency demolition, Councilmember Tarbell interceded by purchasing the property and holding it until a buyer willing to rehabilitate the structure could be found. The City has since allocated funds to assist in stabilizing the structure. The applicant is requesting a COA and EQ approval for the first phase of rehabilitation, which involves securing the building from the elements, stabilization, partial renovation of the east elevation, and the installation of a glass curtain wall on the north elevation.

Ms. Cowden stated that the proposal meets the spirit of the historic district guidelines. The east elevation will be reconstructed in brick, and if feasible, the wood window frames will be reintroduced. Ms. Cowden described the proposed glass curtain wall for the north elevation as a modern design solution to address the loss of the east wing. The spandrel glass and metal frames will reflect the skeleton of the building on the rear. The glass wall is on the upper floors only; a later phase will involve the construction a one-story first floor garage.

Ms. Cowden stated that the EQ guidelines specify that the design of any building renovation should preserve the visual quality of the Market, be predominantly solid in appearance and should be in keeping with the 19th century character of the neighborhood. Although a glass curtain wall is not typical of 19th century buildings, staff believes this unique situation (the loss of the entire east wing and the prominence of the building) is basis for the Board to grant relief from the specific strictures of the EQ guidelines.

Ms. Cowden stated that she had not discussed restoring the cornice on the Race Street elevation with the applicant since the current phase is to stabilize the building. The second phase will address design elements. In response to Mr. Kreider, Ms. Cowden stated that the building skeleton will be visible (particularly from the north elevation) through clear glass, rather than tinted.

[Mr. Kirk joined the meeting]

Owner Greg Badger was present to respond to questions from the Board. He confirmed that City funds are being used to stabilize the building. He explained that while he did not yet have a contract with the City, he hoped to complete the entire project within 18 months. Mr. Senhauser stated he was hesitant to approve anything that could compromise a Section 106 Compliance Review. Mr. Kreider suggested if a Section 106 Review is necessary, the modifications could be justified considering the glass wall allows 21st century viewers to see 19th century construction methods.

Ms. Sullebarger expressed her support of the project emphasizing the importance of the building to the Findlay Market area. Ms. Wallace also praised the innovative approach to saving the building.

BOARD ACTION

The Board voted (motion by Spraul-Schmidt, second by Kreider) to take the following actions:

1. Find that the partial collapse and compromised structural integrity of 100 West Elder Street comprises a unique situation in the Over-the-Rhine Historic District and the Findlay Market Environmental Quality District (EQ-PI No. 1);
2. Approve a Certificate of Appropriateness for the proposed work with the following conditions:
 - a. Any additional work not included in this application shall be approved, as necessary by either the Historic Conservation Office staff or the Historic Conservation Board; and
 - b. Final construction drawings with the proposed exterior finishes shall be submitted to the Urban Conservator for approval prior to construction;
3. Approve the application for development permission for the proposed rehabilitation of 100 West Elder Street in the Environmental Quality-Public Investment District No. 1; and
4. Determine that the proposed treatment has no adverse affect on the historic resources.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 1308
RACE STREET, OVER-THE-RHINE HISTORIC DISTRICT**

Staff member Caroline Kellam presented the staff report on this request for a Certificate of Appropriateness and zoning variances for the installation of three building identification signs for the Emanuel Community Center located at 1308 Race Street.

Zoning variances are required since the Zoning Code permits only one building identification sign not exceeding 12 square feet. The proposed signs meet the guidelines for the Over-the-Rhine Historic District and are properly positioned on and sized for the building.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger, second by Spraul-Schmidt) to take the following actions:

1. Grant the following variances to Section 1473-301(b)(3) to permit the installation of three building identification signs as proposed at 1308 Race Street:
 - a. Two additional building identification signs on the building; and
 - b. Allow one of these signs to exceed 12 square feet in size.
2. Find that such relief from the literal implication of the Zoning Code:

- a. Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
- c. Will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 442-444
MILTON STREET, PROSPECT HILL HISTORIC DISTRICT**

Staff member Caroline Kellam presented the staff report on this request for a Certificate of Appropriateness for the construction of a twin residence at 442-444 Milton Street, within the Prospect Hill Historic District.

Ms. Kellam described features of the proposed new construction including a gabled roof with a green standing seam metal roof and a roof monitor with multi-paned windows. The vertical metal siding extends down each side elevation, emphasizing the rooftop monitor. The two-car tandem garage with metal carriage style doors will face the street. Additionally, six-panel exterior wood doors are proposed for the front and rear elevation. The front bay will have painted wood siding.

Applicant, owner and developer Frank Fieler was the only person in attendance at the pre-hearing. Staff received no comments regarding the proposal, which Mr. Feiler had previously presented to the Prospect Hill Neighborhood Association.

Ms. Kellam stated that the proposed design of the twin houses generally meets the guidelines for the historic district. The new construction is appropriate for the vacant land and the setbacks and siting are compatible with the character of the neighborhood. Staff suggested reducing the size of the transoms above each of the front doors. Ms. Kellam pointed out that the vertical metal siding is not seen in the district, although it could be viewed as a way of distinguishing it as new construction.

Ms. Sullebarger questioned if any sight line studies were completed to show the visual impact of the roof monitor. Ms. Kellam responded that no studies were done, but pointed out that there is a considerable elevation change from Milton to Boal, so the properties to the north are at a significantly higher elevation. In addition, no abutting property owner expressed concern regarding obstruction of views.

Mr. Feiler was present to respond to questions from the Board. He presented a scale model of the house showing it in context to the surrounding neighborhood. He also provided a sample of the proposed standing seam metal roof and the siding. Mr. Kirk remarked that the vertical siding emphasizes the height of the element giving it an almost silo-type character and questioned whether the owner would consider changing the material to something more characteristic of the district. Mr. Feiler suggested the metal siding breaks up the large expanse of brick of the side elevations and noted that the west wall is hidden by the neighboring house.

Ms. Sullebarger said that having seen the model in context, there appears to be no issue with the height. She pointed out, however, that the proposed building is similar in volume to other houses in the district, which have the expanse of brick on the side elevation. She also suggested that the height of the front door transoms be changed. Mr. Feiler replied that he would be willing to use brick to match the side

elevation below the roofline, keeping the monitor above the roofline in metal. He was also amenable to changing the transoms.

Donald Beck, 550 Liberty Hill, was present to address the Board. He expressed his delight with the project and felt it meets the feeling and intent of the neighborhood guidelines. However, he stated the following concerns:

- 1) The double bay window seems too large and bulky. The 4 – 5' projection is visually unsupported underneath.
- 2) Consideration could be given to lowering the lintels, as well as raising the height of the doors.
- 3) The light monitor seems too tall. A ridge skylight could be considered or a single slope roof, which would not be visible from the front. He agreed that the metal material is inappropriate for the neighborhood.
- 4) The most problematic feature is the large breach in the front stone retaining wall for the double garage driveway. He considered it a bad precedent since the element is so typical of the neighborhood. He suggested moving the garage forward or reducing the width of the driveway opening through the stone wall.

The Board agreed that the bay window is proportionately problematic and could be resolved by articulating a split in the bay. They also suggested incorporating the belvedere into the roof by utilizing the same material.

Ms Sullebarger complimented the design, but suggested that eliminating the transoms over the triple windows would give it a more unified look. She also emphasized the importance of holding the line of the retaining walls on Milton Street and agreed with Mr. Beck that a skylight may be more appropriate since the extra height is not typical of the district.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger, second by Kreider) to approve a Certificate of Appropriateness for the construction of two new single-family houses at 442-444 Milton Street with the following conditions:

1. Reconsider the proportion and design of the exterior doorways;
2. Replace the metal siding on the side elevations with brick;
3. Subdivide the bay vertically on the front; and
4. Consider a single metal roof material.

ADJOURNMENT

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date